

DD/A Registry  
86-0475

## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

CIA Annual Privacy Act Report - 1985 - Section I

DD/A REGISTRY

FILE: 70-8

FROM:

Chief, Information and Privacy Division  
1107 Ames Building

EXTENSION

NO.

DATE

10 MAR 1986

STAT

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TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

DDIS

10 MAR 1986

2.

3.

DIS

10 MAR 1986

4.

5.

OIS/ISC

11 MAR 1986

6.

7.

EXO/DDA

13 MAR 1986

8.

9.

~~ADDA~~

10.

11.

DDA

14 MAR 1986

12.

13.

DDA Registry

14 MAR 1986

14.

14 MAR 1986

15.

11. For Signature

Attached for your signature is a transmittal memorandum and the CIA Annual Privacy Act Report for 1985 - Section I. This Section is due to OMB no later than 30 April 1986.

Section II of this Report is due to OMB by 30 June 1986 and IPD is working on this submission.

Also attached for background information are a copy of the 1986 OMB request to CIA and a copy of last year's Annual Privacy Act Report.



Washington, D. C. 20505

JAN 14 1986

MEMORANDUM FOR: Director, Office of Management and Budget

ATTENTION: Robert P. Bedell  
Deputy Administrator  
Office of Information and Regulatory Affairs  
NEOB Room 3235  
Washington, DC 20503

SUBJECT: Central Intelligence Agency  
Annual Privacy Act Report - 1985 - Section I

In accordance with the OMB memorandum of 16 January 1986,  
forwarded herewith is the Central Intelligence Agency Annual  
Report on the Privacy Act for Calendar Year 1985 - Section I.

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Richard J. Kerr  
Deputy Director  
for  
Administration

Attachment

CIA ANNUAL PRIVACY ACT REPORT FOR 1985 - SECTION I

This Annual Report is keyed to the instructions transmitted with the OMB memorandum of 16 January 1986 from Robert P. Bedell, Office of Information and Regulatory Affairs, entitled "Privacy Act Materials."

A. Privacy Points of Contact:

1. Senior Agency Official:

Richard J. Kerr  
Deputy Director for Administration  
Central Intelligence Agency  
Washington, DC 20505

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2. Privacy Officer:

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Information and Privacy Coordinator  
Central Intelligence Agency  
Washington, DC 20505

STAT

3. Legal Counsel:

STAT

Office of Information Services Legal Counsel  
Central Intelligence Agency  
Washington, DC 20505

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B. Publication Data:

1. Total number of active systems:

0  
nonexempt

65  
exempt

2. Number of new systems published during 1985:

0  
nonexempt

0  
exempt

3. Number of systems deleted during 1985:

0  
nonexempt

1  
exempt

4. Number of systems automated, either in whole or part, during 1985:

0  
nonexempt

5  
exempt

5. Number of existing systems for which new routine uses were established, during 1985:

0  
nonexempt

0  
exempt

6. Number of existing systems for which new exemptions were claimed:

0

7. Number of existing systems from which exemptions were deleted:

0

8. Number of public comments received on agency publication of rules or notices:

0

9. No comments concerning Agency administration of the Privacy Act were received in 1985.

C. Individuals' Exercise of Rights of Access and Amendment:

1. Total number of requests for access:

1095

2. Number of requests wholly or partially granted:

738

3. Number of requests totally denied:  
208
4. Number of requests for which no record was found:  
519
5. Number of appeals of denials of access:  
38
6. Number of appeals in which denial was upheld:  
18
7. Number of appeals in which denial was  
overturned either in whole or part:  
11
8. Number of requests to amend records in system:  
1
9. Number of amendment requests wholly or  
partially granted:  
1
10. Number of amendment requests totally denied:  
0
11. Number of appeals of denials of amendment  
requests:  
0
12. Number of appeals in which denial was upheld:  
0
13. Number in which denial was overturned either  
in whole or in part:  
0

14. Denial of individual access on basis other than Privacy Act exemptions (j) or (k):

Not applicable.

15. Number of instances in which individuals litigated the results of appeals or amendment:

One individual litigated the results of his appeal.

16. Results of such litigation:

Defendant's Motion for Summary Judgment was granted on 15 November 1985.

D. Matching Programs:

Not applicable.

E. Agency Analysis of Activities:

As in 1984, over 1000 own file requests were received. Several hundred additional requests were received but not formally processed because of insufficient information. In these instances, the requester chose not to respond to our request for additional information, such as date and place of birth and notarized statement attesting to the requester's identity.

Significant progress has been made in reducing our processing backlog in 1985 as can be attested to by the following. The number of cases carried over from 1984 to 1985 was 947. This year, the number carried over to 1986 is 509, down 438 cases.

OIS/IPD [redacted] (3 March 1986)

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Distribution:

Original and 3 - Addressee w/att.

1 - DDA Chrono w/o att.

1 - DDA Subject w/o att.

1 - OIS Chrono w/o att.

1 - OIS Subject w/att.

1 - IPD PA Reports w/att.

1 - IPD Correspondence w/att.

1 - IPD, [redacted] w/att.

1 - DDA/IRO [redacted] w/att.

STAT  
STAT

Central Intelligence Agency



Washington, D. C. 20505

86-0475

MEMORANDUM FOR: Director, Office of Management and Budget

ATTENTION: Robert P. Bedell  
Deputy Administrator  
Office of Information and Regulatory Affairs  
NEOB Room 3235  
Washington, DC 20503

SUBJECT: Central Intelligence Agency  
Annual Privacy Act Report - 1985 - Section I

In accordance with the OMB memorandum of 16 January 1986,  
forwarded herewith is the Central Intelligence Agency Annual  
Report on the Privacy Act for Calendar Year 1985 - Section I.

Richard J. Kerr  
Deputy Director  
for  
Administration

Attachment



OIS/IPD [redacted] (3 March 1986)

STAT

Distribution:

- Original and 3 - Addressee w/att.  
1 - DDA Chrono w/o att.  
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1 - OIS Chrono w/o att.  
1 - OIS Subject w/att.  
1 - IPD PA Reports w/att.  
1 - IPD Correspondence w/att.  
1 - IPD [redacted] w/att.  
1 - DDA/IRO [redacted] w/att.

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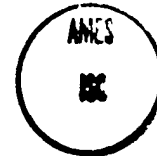
EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

86-0212

MEMORANDUM FOR THE PRIVACY POINTS OF CONTACT

JAN 16

FROM: Robert P. Bedell *RPB*  
Deputy Administrator  
Office of Information and  
Regulatory Affairs



08 FEB 1986

LOGGED

SUBJECT: Privacy Act Materials

This memorandum contains three attachments:

- o A copy of the President's Privacy Act Report for CY 1982 and 1983, dated December 4, 1985;
- o A copy of OMB Circular No. A-130, dated December 12, 1985; and
- o A supplemental instruction sheet for providing information to support the President's 1985 Privacy Act Report to the Congress.

OMB Circular No. A-130 is a policy directive to Federal agencies on the management of Federal information resources. It sets basic guidelines for collecting, processing and disseminating information and for the management of Federal information systems and technology. It also revises existing directives on privacy, computer security, and cost accounting for Federal computer and telecommunications facilities.

Appendix I of the Circular will be of special interest to managers of agency Privacy Act programs. It replaces OMB Circular No. A-108, "Federal Agency Responsibilities for Maintaining Records About Individuals."

Please note, however, that this Appendix does not replace the OMB Guidelines on Implementing the Privacy Act of 1974 published in the Federal Register on July 9, 1975 (40 FR 28949).

In addition to consolidating the basic Circular A-108 and its Transmittal Memoranda into a single document, the new Appendix I adds or alters certain responsibilities and procedures:

- o It provides a timetable for agencies to conduct certain reviews of their implementing activities or record holdings, e.g., "review annually agency recordkeeping and disposal practices...."

- o It transfers certain responsibilities formerly assigned to the General Services Administration to the National Archives and Records Administration.
- o It requires agencies to collect and keep certain data about their Privacy Act publications and about public use of the Privacy Act for the President's annual report.
- o It permits agencies to submit exemption rules as part of a report on a new or altered system, rather than under the provisions of Executive Order No. 12291.
- o It establishes new rules for seeking a waiver of the OMB/Congressional review period for reports on new systems of records.

Agencies should immediately begin following the procedures for reporting new or altered systems of records contained in Appendix I.

Instructions for reporting statistical and other information in support of the President's yearly report to Congress are contained in paragraph 4 of the Appendix. This information is essentially the same as that which we have collected for the past four years. It is due no later than April 30, 1986.

The third attachment to this memorandum contains additional instructions for submitting data for the annual report. This information is due no later than June 30, 1986.

Send both submissions to:

The Office of Management and Budget  
Office of Information and Regulatory Affairs  
NEOB Room 3235  
Washington, D.C. 20503

Direct questions to Robert N. Veeder, of my staff, at 395-4814.

Attachments

Supplemental Instructions for Submitting Information  
In Support of the President's  
Annual Privacy Act Report  
For CY 1985

Section (p) of the Privacy Act of 1974 (5 U.S.C. 552a) requires the President to report annually to the Congress:

- o How individuals exercised their rights of access and amendment during the year;
- o What changes were made to systems of records;
- o Other information about the implementation of the Act that would be useful to the Congress in carrying out its oversight responsibilities.

Appendix I to OMB Circular A-130 contains instructions for collecting statistical data about access and amendment requests, changes to systems of records, matching programs, and litigation. Report that information in Section I below.

In Section II below are a series of questions relating to specific implementation activities. Please provide as much information as possible. Provide approximations or estimates where necessary, identifying them as such.

**Section I.**

Report information for calendar year 1985. Aggregate data at the agency level; do not report components separately.

**A. Privacy Points of Contact:**

Provide the names, titles, telephone numbers and mailing addresses of the agency individuals who are responsible for implementing the Privacy Act in your agency:

**1. Senior Agency Official:**

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

**2. Privacy Officer:**

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

**3. Legal Counsel:**

Name: \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

**B. Publication Data:**

Provide the following information as of December 31, 1985:

1. Total number of active systems:

nonexempt

exempt

2. Number of new systems published during 1985:

nonexempt

exempt

3. Number of systems deleted during 1985:

nonexempt

exempt

4. Number of systems automated, either in whole or part, during 1985:

nonexempt

exempt

5. Number of existing systems for which new routine uses were established, during 1985:

nonexempt

exempt

6. Number of existing systems for which new exemptions were claimed.

7. Number of existing systems from which exemptions were deleted.

8. Number of public comments received on agency publication of rules or notices:

9. Briefly discuss any comments received and any action taken based on comments received, including those received from OMB or the Congress. Attach continuation sheet if necessary. Attach copies of

any Congressional correspondence.

**C. Individuals' Exercise of Rights of Access & Amendment:**

(Note, access and amendment requests are defined as requests from record subjects for access to agency records that are (1) about themselves; (2) located in systems of records; and (3) which cite the Privacy Act of 1974 as the basis for the request).

1. Total number of requests for access:  
\_\_\_\_\_
2. Number of requests wholly or partially granted:  
\_\_\_\_\_
3. Number of requests totally denied:  
\_\_\_\_\_
4. Number of requests for which no record was found:  
\_\_\_\_\_
5. Number of appeals of denials of access:  
\_\_\_\_\_
6. Number of appeals in which denial was upheld:  
\_\_\_\_\_
7. Number of appeals in which denial was overturned either in whole or part:  
\_\_\_\_\_
8. Number of requests to amend records in system:  
\_\_\_\_\_
9. Number of amendment requests wholly or partially granted:  
\_\_\_\_\_
10. Number of amendment requests totally denied:  
\_\_\_\_\_



11. Number of appeals of denials of amendment requests:

\_\_\_\_\_

12. Number of appeals in which denial was upheld:

\_\_\_\_\_

13. Number in which denial was overturned either in whole or in part:

\_\_\_\_\_

14. If your agency denied any access requests on a basis other than the provisions of sections (d)(5), (j), or (k) of the Privacy Act, explain the rationale for your denial.

15. Number of instances in which individuals litigated the results of appeals of access or amendment:

\_\_\_\_\_

16. The results of such litigation.

**D. Matching Programs:**

(See the definition of a matching program in OMB's revised Matching Guidelines, 47 FR 1656, May 19, 1982):

1. How many matching programs did your agency participate in as a matching agency during 1985?

\_\_\_\_\_

2. How many as a source agency?

\_\_\_\_\_

3. On what date(s) were any matching reports required by the Guidelines published in the Federal Register and provided to OMB and the Congress?

**E. Agency Analysis of Activities:**

Submit a brief analysis of the data provided above. The analysis should show how the data supports the agency's efforts to comply with the objectives of the Act. The analysis should also consider the relationship of these data to data furnished for

earlier reports. Agencies should also identify significant ongoing or completed activities designed to improve administration of the Act, e.g., review of routine uses, publication of revised rules, review of application of exemption provisions, improvements in public access to records, etc.

This information is due to OMB no later than April 30, 1986.

## Section II.

Please provide whatever information you have, including documents where available, in response to the questions below.

- o **PUBLIC NOTICE.** The public notice provisions of the Privacy Act call for publication in the Federal Register of systems notices, routine uses, and agency rules. While such publication meets the legal requirements of the Act, it is not the most accessible source for ordinary individuals to find out about agency publications and practices. Does your agency do anything to supplement its Federal Register publications?, e.g., issuing pamphlets, providing abbreviated lists of systems, providing a toll free number for assistance, etc.
- o **MICRO COMPUTER POLICY.** How many of your agency's systems of records are contained in stand-alone micro computers, i.e.. on floppy or hard disk? Does your agency have written policies for who may have access and for safeguarding and disposing of records?
- o **AUTOMATION.** What percentage of your agency's systems of records are automated, either in whole or part? What percentage of all of the individuals in your agency's systems of records are contained in automated systems?
- o **FOIA/PA RELATIONSHIP.** How does your agency process first party requests for access to Privacy Act records that (1) cite the Privacy Act alone; (2) cite the FOIA alone; (3) cite both Acts; (4) cite neither Act? Does your agency have a written policy on processing these kinds of requests?
- o **MATCHING PROGRAMS.** OMB Memorandum M-84-6, dated December 29, 1983 transmitted a "Computer Match Checklist" for agencies to use in documenting matching programs. The memorandum requires agency to complete the checklist immediately following publication of the report of the matching program in the Federal Register, and to maintain checklists on file for OMB review. Send copies of these checklists for all matching programs for which a Federal Register report was published in 1985. You should ensure consistency with the figures you report in paragraph D. of Section I of these instructions.
- o **PRIVACY ACT TRAINING.** Your answers to the following questions will help us assess the state of such training and determine the need for additional training:
  - What is your agency's policy toward providing Privacy Act training to its employees, (e.g., required for all new employees, required only for employees who work with Privacy Act matters, provided only to those who request it, etc.)?

- What percentage of your agency's employees have received formal Privacy Act training, in each of the following categories (1) executive level, (2) legal staff, clerical or administrative staff, ADP staff.
- Agency Operated Training. Does your agency conduct its own internal training program(s)? If yes,  
  
Who is responsible for conducting such training?  
  
What are the criteria for deciding who is to be trained?  
  
What are the criteria for deciding if training has been effective and useful?  
  
Briefly describe your program(s) and provide copies of any training materials used.  
  
How many employees were trained in CY 1985 (if possible, by category e.g., executive level, legal staff, clerical or administrative staff, ADP staff).
- Use of Other Privacy Act Training. What other formal training courses did your agency use in CY 1985, (e.g., by other governmental agencies such as the Office of Personnel Management, or the Department of Justice's Legal Education Institute, or by private firms).  
  
How many agency employees received such training (by course and category of employee, if possible)?  
  
Was your agency satisfied with the quality of the training? How did it determine this?
- Do you have any suggestions for Privacy Act training

This information is due to OMB no later than June 30, 1986.

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